

ADOPTION OF SOLID WASTE TERMS ASSOCIATED WITH SOLID WASTE
ACTIVITIES IN THE BOONE COUNTY SOLID WASTE MANAGEMENT DISTRICT

WHEREAS, the Boone County Solid Waste Mangement District, as established pursuant to the provisions of Indiana Home Rule, have abided by the State legislation dealing with the mangement of solid waste within the Boone County Solid Waste Management District, and pursuant to the authorization provided by Indiana Home Rule, desire to adopt the definitions set forth in the legislation pertaining to said solid waste management, and in addition, supplement those definitions pursuant to extensive public hearings and meetings conducted on or about January 20, 21, February 3, 17, and March 3, 31, 1993, and

WHEREAS, pursuant to the said public meetings with input of the general public and local governmental officials, the Boone County Solid Waste Management District Board, and its Citizens Advisory Committee, have formulated definitions to be utilized in conjunction with the implementation of the Boone County Solid Waste Plan.

NOW, THEREFORE, BE IT RESOLVED by the Boone County Solid Waste Management Distict as follows:

Section 1. Purpose. This resolution shall have as its purpose to define certain terms as they apply to the implementation of the Boone County Solid Waste Management District Plan in Boone County, Indiana.

Section 2. Definitions. The following definitions are hereby adopted with regard to the Boone County Solid Waste Management District consisting of the County of Boone, State of Indiana:

Solid Waste
[329 IAC 2-2-1]

Defined as: Garbage; refuse; sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility; or other discarded materials including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, or agricultural operations or from community activities. However, the term solid waste does not include:

(A) solid or dissolved material in domestic sewage or solid or dissolved materials in irrigation return flows or industrial discharges, which are point source subject to permits under Section 402 of Federal Water Pollution Control Act Amendments (33 U.S.C. 1342);

(B) source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(C) manures or crop residues returned to the soil at the point of generation as fertilizers or soil conditions as part of a total farm operation. (P.L. 143-1985, SECTION 90.)

Solid Waste Land Disposal Facility
[329 IAC 2-2-1]

Defined as: Means a solid waste facility in or upon the land into which solid waste is disposed. Permitted solid waste land disposal facilities shall be classified into one (1) of the following types:

- (A) Sanitary landfill.
- (B) Construction/demolition sites.
- (C) Restricted waste sites.

Solid Waste Facility

[329 IAC 2-2-1]

Defined as: Means all contiguous land structures, other appurtenances, and improvements on the land, used for processing, storing in conjunction with processing or disposal, or disposing of solid waste, and may consist of several processing, storage, or disposal operational units, e.g., one (1) or more landfills, surface impoundments, or combinations thereof.

Solid Waste Processing Facility

[329 IAC 2-2-1 + Boone County SWMD Modification]

Defined as: Means a solid waste facility upon which is located a solid waste incinerator, transfer station, solid waste bailer, solid waste shredder, resource recovery system, composting facility, garbage grinding facility, and other facilities, or recycling facilities, not included in the above definition if subsequently approved by the Boone County Solid Waste Management District and the Indiana Department of Environmental Management.

Sanitary Landfill

[329 IAC 2-2-1 + Boone County SWMD Modification]

Defined as: Means a solid waste land disposal facility designed to accommodate, general types of solid waste as elsewhere defined in this ordinance, excluding waste regulated by 329 IAC 3, and operated by spreading the waste in thin layers, compacting it to the smallest practical volume, and covering it with cover material at the end of each working day. This definition does not include a Clean Fill Site, or a Construction/Demolition Site, which is defined elsewhere in the ordinance.

Clean Fill Site
[Boone County Solid Waste Management District]

Defined as: Means a facility or site specifically designed and restricted to the disposal, processing and/or reclamation of off-site generated, uncontaminated and untreated stone, bricks, concrete, or dirt; road demolition waste materials; natural growth including tree limbs and logs, stumps, leaves, and grass clippings; sawdust from untreated natural wood; and other items not included in the above definition if subsequently approved by the Boone County Solid Waste Management District and the Indiana Department of Environmental Management. Clean fill sites shall be classified into one (1) of the following types:

- (A) Long term permitted clean fill disposal site.
- (B) Temporary permitted clean fill disposal site.
- (C) Long term permitted clean fill processing site.
- (D) Temporary permitted clean fill processing site.
- (E) Temporary permitted clean fill land reclamation site.

Open Dump
[329 IAC 2-2-1]

Defined as: Means the consolidation of solid waste from one (1) or more sources or the disposal of solid waste at a single disposal site that does not fulfill the requirements of a sanitary landfill or other land disposal method as prescribed by law or regulations, and that is established and maintained without cover and without regard to the possibilities of contamination of surface or subsurface water resources.

Open Burning
[329 IAC 2-2-1]

Defined as: Means the combustion of any matter in the open or in an open dump.

Construction/Demolition Site
[329 IAC 2-2-1 + Boone County SWMD Modification]

Defined as: Means a solid waste land disposal facility, or site, designed and operated to accommodate large volumes of solid waste, having minimal potential for ground water contamination. Further, in the Boone County Solid Waste Management District, a Construction/Demolition Site is to be specifically designed and restricted to the disposal of only construction or demolition waste to include bricks; concrete; stone; glass; wallboard; lumber; roofing materials; other items which are affixed to the structure being constructed or demolished including plumbing fixtures, wiring and non-asbestos insulation; and other items not included in the above definition if subsequently approved by the Boone County Solid Waste Management District and the Indiana Department of Environmental Management.

Transfer Station
[329 IAC 2-2-1f (b) (59) + Modification]

Defined as: Means a solid waste processing facility at which solid waste is transferred from a vehicle or container to another vehicle or container for transportation, but shall not include neighborhood recycling collection centers or transfer activities at generating facilities.

Recovery

[329 IAC 2-2-1 (a) (11) & IC 7-1-19]

Defined as: Means obtaining materials or energy for commercial or industrial use from solid waste or hazardous waste.

Resource Recovery

[329 IAC 2-2-1 (b) (45)]

Defined as: Means the processing of solid waste into commercially valuable materials or energy.

Resource/Material Recovery Facility

[Boone County Solid Waste Management District]

Defined as: Means a solid waste processing facility designed and operated for the express purpose of processing solid waste into commercially valuable materials or energy.

Composting

[IC 13-7-35-2 & IC 13-7-35-3 + Modification]

Defined as: Means the biological treatment process by which microorganisms decompose the organic component of vegetative matter and other type of organic material; the compost may be used as:

- (A) a soil conditioner.
- (B) a cover material for a solid waste landfill.
- (C) another use approved by the Boone County Solid Waste Management District and the Indiana Department of Environmental Management.

Composting Facility

[IC 13-7-35-2 & IC 13-7-35-3 + Modification]

Defined as: Means a solid waste processing facility specifically designed and operated for the express purpose of composting.

Composting/Digester Facility

[Boone County Solid Waste Management District]

Defined as: A specific type of composting facility.

Incinerator

[329 IAC 2-2-1 (a) (7) & IC 13-7-1-13.5 + Modification]

Defined as: Means an engineered apparatus or solid waste processing facility designed for the burning of solid waste under the effect of controls of temperature, retention time, air, and other combustion factors.

Restricted Waste Site

[329 IAC 2-2-1 (b) (46)]

Defined as: Means a solid waste land disposal facility designed and operated to accommodate specific types of waste as specified in 329 IAC 2-9.

Recycling

[IC 13-9.5-1-26]

Defined as: Means a process by which materials that would otherwise become solid waste and collected, separated or processed, and converted into materials or products for reuse or sale.

Hazardous Waste

[329 IAC 2-2-1, IC 13-1-12-8, IC 13-7-7-5]

Defined as: Means a solid waste or combination of solid wastes that, because of its quantity, concentration or physical, chemical, or infectious characteristics may:

(A) cause or significantly contribute to an increase in mortality or increase in serious irreversible, or incapacitating reversible illness: or

(B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.


Section 3. Severability. Each section, subsection, sentence, clause and phrase of this resolution establishing definitions is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any portion of this resolution to be unconstitutional, void or ineffective for any cause, or reason, shall not affect any other portion of this resolution as hereinabove set forth.

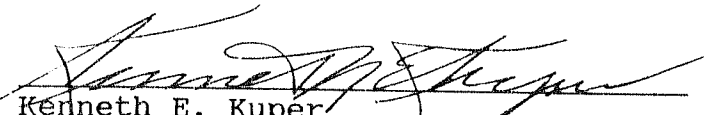
Section 4. Effective Date. This resolution shall be in full force and effect from and after its adoption and any publication as may be required by law and is adopted pursuant to the provisions of I.C. 13-9.5-2-11(18). The same shall ratify and confirm actions taken by the Boone County Solid Waste Management District at its public meeting on February 3, 1993, with recommended modifications as a result of public input at open meetings on February 3, March 3 and March 31, 1993. A copy of these solid waste related definitions shall remain on file for public inspection in the office of the Boone County Auditor, Courthouse, Lebanon, Indiana.

ALL OF WHICH IS ADOPTED this 14 day of APRIL, 1993, by
the Boone County Solid Waste Management District Board.

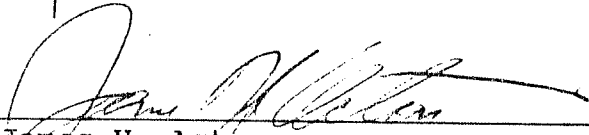
BOARD OF DIRECTORS OF BOONE COUNTY SOLID WASTE MANAGEMENT DISTRICT,
INDIANA


Larry R. Frye

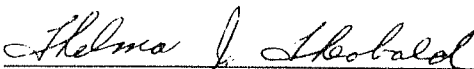

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